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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,546	09/16/2002	Rick Roland Langmaid	17480P024	6595

7590 10/16/2008  
Blakely Sokoloff Taylor & Zafman  
12400 Wilshire Boulevard 7th Floor  
Los Angeles, CA 90025-1026

EXAMINER
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OBEID, FAHD A

ART UNIT	PAPER NUMBER
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3627

MAIL DATE	DELIVERY MODE
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10/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/088,546	<b>Applicant(s)</b> LANGMAID ET AL.	
	<b>Examiner</b> FAHD A. OBEID	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of the Application***

1. This is in reply to application filed on 02/28/2008.
2. Claim 28 has been cancelled.
3. Claims 1, 6, 7, 9, 10, 15, 16, 18, 19, 24, 25, and 27 have been amended.
4. Claims 1-27 are currently pending and have been examined.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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**3. Claims 1-4, 6, 9-13, 15, 18-22, 24, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephens (5237159) in view of Doyle (US 5694551).**

4. Regarding Claims 1, 10, and 19: Stephens discloses an account method, executed by an account system, including:

- receiving account data (abstract, fig. 4A-4B, col 4 lines 6-36, col 6 lines 12-27, and claim 8) over a communications network (col 5 lines 22-29 and claim 8), said account data having been extracted in a first predetermined format from an accounting software package of a remote computer system of a client (abstract, col 3 lines 32-45, col 7 lines 35-60, claim 1, claim 8, and claim 15);
- processing said account data for storage in a database system in a second predetermined format and in a predetermined form based on parameters for the client (claims 8, 15, 21, & 33).

Stephens does not explicitly disclose generating customer account information including statement data for respective customers.

However, Doyle does disclose the following:

- generating customer account information, including statement data, from said account data in said database system for respective customers of said client (fig. 1, 15B, abstract, col 1 lines 50-52, col 4 lines 21-28, col 8 lines 4-15, and claim 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Doyle's teachings in the Stephens "electronic check presentment

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system”, for the advantage of preparing and submitting an itemized invoices for all the delivered products to the customer (Doyle; col 1 lines 50-52).

5. Regarding Claims 2, 11, and 20: Stephens discloses an account processing method as claimed in claim 1, including extracting said account data in said first predetermined format (abstract, col 3 lines 32-45, col 7 lines 35-60, claim 1, claim 8, and claim 15).

6. Regarding Claims 3, 12, and 21: Stephens discloses an account processing method as claimed in claim 1, wherein said parameters define business rules and variables for said client, and said business rules control said account data processing (col 5 lines 65-68, col 6 lines 1-11, col 9 lines 59-68, col 10 lines 41-49).

7. Regarding Claims 4, 13, and 22: Stephens discloses an account processing method as claimed in claim 1, wherein said generating step includes sending said account data to a printing system and printing (col 7 lines 5-17, col 7 lines 50-59, col 8 lines 64-68, and col 9 lines 33-40), sorting (col 3 lines 28-31, col 9 lines 43-52, and fig. 6) inserting in envelopes said account information for said customers (col 2 lines 39-49).

8. Regarding Claims 6, 15, and 24: Stephens discloses an account processing method as claimed in claim 1, wherein said generating step includes sending the account information to said customers by electronic transmission media, including email, fax and electronic funds transfer (EFT) systems (col 2 lines 64-68, col 7 lines 55-60, claim 32, and claim 44).

9. Regarding Claims 9, 18, and 27: Stephens discloses an account processing method as claimed in claim 3, wherein said processing includes filtering (claim 34 and claim 35), and verifying said account data (col 9 lines 59-68, col 10 lines 60-68, claim 2, and claim 8) executing said business rules on said account data using said variables and delivery point identifier (DPID) and optical mark recognition (OMR) processing (col 5 lines 65-68, col 6 lines 1-11, col 9 lines 59-68, col 10 lines 41-49).

**10. Claims 5, 8, 14, 17, 23, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephens (5237159) in view of Doyle (US 5694551).**

11. Regarding Claims 5, 14, and 23: Stephens discloses an account processing method as claimed in claim 4, wherein said account information includes statements, cheques (fig. 2, col 7 lines 43-60, col 9 lines 33-40, col 12 lines 1-10, col 12 lines 54-65, and claim 13). Stephens does not disclose invoice as account information.

However, Doyle discloses invoices as account information (col 4 lines 21-28, col 8 lines 16-28).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Doyle's teachings in the Stephens electronic check presentment system enabled. Since, it provides to the clients a summary of their order information.

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12. Regarding Claims 8, 17, and 26: Stephens discloses the claimed invention except for a transaction module for inputting payment instructions from customers corresponding to the account information, and executing a payment transaction on the basis of the instructions.

However, Doyle discloses a transaction module for inputting payment instruction from customers corresponding to the account information, and executing a payment transaction on the basis of the instructions (col 2 lines 20-67, col 3 lines 15-53, col 11 lines 4-12). ).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Doyle's teachings in the Stephens electronic check presentment system enabled. Since, access is provided to the file (account) for agents to perform one or more activities related to the data inputs, such as entering, deleting, reviewing, adjusting, and processing the data inputs.

**13. Claims 7, 16, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephens (5237159) in view of official notice.**

14. Regarding Claims 7, 16, and 25: Stephens discloses an account processing method as claimed in claim 1, including making said account information available to customers via a software interface accessible over a communication network including the internet (col 2 lines 32-38, and col 6 lines 52-68). Stephens however, does not disclose Internet as a communication network.

The Official Notice taken by the Examiner in the Office Action mailed 07/23/2007 is taken to be admitted prior art because applicant either failed to traverse the examiner's assertion of Official Notice or the traverse was inadequate (MPEP2144.03[C]).

The Examiner took Official Notice that it is notoriously old and well known to include internet as a communication network (hereinafter Admitted Prior Art).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include internet in the communication system enabled; for the advantage of providing network communication services to users to facilitate and transmit data files in the most accurate and convenient matter.

### ***Response to Arguments***

15. Applicant's arguments with respect to claims 1, 10 and 19 have been considered but are moot in view of the new ground(s) of rejection.

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37



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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FAHD A. OBEID whose telephone number is (571)270-3324. The examiner can normally be reached on Monday to Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Fahd A Obeid/  
Examiner, Art Unit 3627  
10/07/2008

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627